

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

CRAIG AGNEW	§	
v.	§	CIVIL ACTION NO. 5:07cv152
TELFORD UNIT COMMITTEE	§	

ORDER

Rule 8(a), Fed. R. Civ. P., requires that pleadings setting out a claim for relief contain a short and plain statement of the claim showing that the pleader is entitled to relief. A short and plain statement of the claim is one which gives the defendant fair notice of what the plaintiff's claims are and the grounds upon which they rest. Conley v. Gibson, 355 U.S. 41, 47 (1957); *see* Leatherman v. Tarrant County Narcotics Intelligence and Coordination Unit, 113 S.Ct. 1160 (1993).

The Court has examined the pleading submitted by the Plaintiff Craig Agnew and has determined that said pleading does not set out a short and plain statement of the claim giving fair notice of the nature of the plaintiff's claim or of the grounds upon which it rests. Consequently, this Court has the duty to obtain "a short and plain statement of [the plaintiff's] complaint, a statement which rests on more than conclusions alone." Shultea v. Wood, 47 F.3d 1427, 1433 (5th Cir. 1995) (*en banc*). It is accordingly

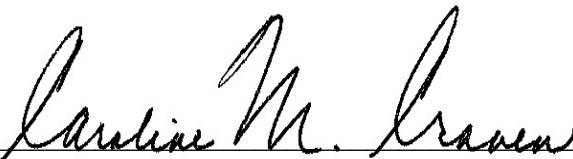
ORDERED that the Plaintiff Craig Agnew shall have thirty days from the date of receipt of this order in which to file a more detailed pleading. This amended pleading shall present a short and plain statement setting forth the Plaintiff's claims, including the following:

1. A concise statement of each of the claims which Agnew wishes to raise, together with the facts giving rise to each of these claims, including the dates of occurrences of these events. Agnew is instructed that he must furnish specific facts, not merely conclusory allegations.
2. The individual or individuals whom Agnew wishes to name as defendants in this lawsuit.

3. A statement showing how each named defendant is involved in the facts forming the basis of the lawsuit.
4. The harm which Agnew suffered as a result of the facts forming the basis of this lawsuit, including the harm, if any, which came to him from the taking of any legal materials.
5. The specific relief sought by Agnew in this lawsuit.

Failure by the Plaintiff to file an amended pleading which complies with this order may lead to a recommendation that this lawsuit be dismissed, with or without prejudice, for failure to prosecute or to obey any order of the Court. Rule 41(b), Fed. R. Civ. P.

SIGNED this 15th day of October, 2007.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE